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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,761	06/08/2001	Jonathan C. Salas	MOON-P005	3928
38396	7590	12/16/2004	EXAMINER	
JOHN BRUCKNER, P.C. 5708 BACK BAY LANE AUSTIN, TX 78739			LIM, KRISNA	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/877,761

Applicant(s)

SALAS ET AL.

Examiner

Krisna Lim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2153

1. Claims 1-19 are presented for examination.
2. The title of the invention is neither descriptive nor precise. A new title is required which should include, using twenty words or fewer, claimed features that differentiate the invention from the Prior Art. The title should reflect the gist of or the improvement of the present invention.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Norris [U.S. Patent No. 6,718,328].

5. Norris anticipated (e.g., Figs. -16) the invention substantially as claimed. Taking both claim 1 as exemplary claim, the reference disclosed in a distributed computing system (col. 1, line 52, col. 2, line 64) comprising a plurality of content subscribers (user, col. 1, line 55) coupled to a plurality of content locators and a plurality of content publishers on a network, a system to manage content subscriber's access to content publishing resource comprising:

a) a content subscriber to request content (e.g., see a circle No. 1 of Fig. 2, col. 3 (lines 64-67), col. 4);

b) a content locator (e.g., see a circle No. 3 of Fig. 2, col. 3, lines 47-55, col. 4) to locate one or more content publishers (216 of Fig. 2, col. 3, line 1-32, col. 4), wherein the content publisher dynamically activates the requested content by presenting one or more content publishing resources to activate said requested content; and

d) a license manager to control the content subscriber's access to said content publishing resource (e.g., see Figs. 3-4, col. 3, lines 32-45, col. 4, line 58, to col. 18).

6. As to claim 2, Norris disclosed the license manager generated one or more tokens (e.g., see Fig. 1, col. 3, line 11, to col. 4, line 32) according to allocated access session (e.g., the authenticated URL, the valid token) that are generated according to license policy criteria (e.g., restricted contents, members-only contents, valid token, col. 3, lines 33-45, col. 5, line 64, to col. 6, line 13) associated with the content subscriber; and a token monitor (e.g., see 112, 116 of Fig. 1, col. 3, lines 24-33) to initiate resource access according to said generated token.

7. As to claim 3, Norris disclosed the allocated access session is based on user licensing criteria (e.g., User Name, Password, restricted contents, members-only contents, valid token, col. 3, lines 33-45, col. 5, line 64, to col. 6, line 13).

8. As to claim 4, Norris disclosed the allocated access session is based on application licensing criteria (e.g., Authenticated URL, restricted contents, members-only contents, valid token, col. 3, lines 33-45, col. 5, line 64, to col. 6, line 13).

Art Unit: 2153

9. As to claim 5, Norris disclosed the allocated access session is based on a combination of user licensing criteria (e.g., User Name, Password, restricted contents, members-only contents, valid token, col. 3, lines 33-45, col. 5, line 64, to col. 6, line 13) and application licensing criteria (e.g., Authenticated URL, restricted contents, members-only contents, valid token, col. 3, lines 33-45, col. 5, line 64, to col. 6, line 13).

10. As to claim 6, Norris disclosed the content locator (e.g., see a circle No. 3 of Fig. 2, col. 3, lines 47-55, col. 4) locates the content publisher (publisher's web site, col. 3, line 14) by matching an attribute of the content publisher with an attribute of the request content (IP address) (e.g., see 412, 420 of Fig. 4, 216 of Fig. 2, col. 3, line 1-32, Col. 4).

11. As to claim 7, Norris disclosed the attribute of the content publisher (publisher's web site, col. 3, line 14) is matched to an attribute of a user (Username/Password, 412, 420 of Fig. 4, 216 of Fig. 2, col. 3, line 1-32, Col. 4).

12. As to claim 8, Norris disclosed the attribute of the content publisher (publisher's web site, col. 3, line 14) is matched to a selected performance level (reference tokens, col. 5, line 33, to col. 6, line 13, col. 7, line 49, to col. 8, line 18) of the content publisher resources.

13. As to claim 9, Norris disclosed one or more components of the system (e.g., web page of web server 208 of Fig. 2, URL) are auto-configured (authenticated URL).

14. As to claim 10, Norris disclosed a performance driver that changes a configured parameter of the content publisher according to performance level of the content publishing resource on the content publisher (col. 7, line 49, to col. 8, line 18).

15. As to claim 11, Norris disclosed a system database (web server 208 of Fig. 2) or directory service to store configuration parameters (token with encoded fields, col. 7,

Art Unit: 2153

line 51, to col. 8, line 18) associated with one or more content publishers (content server or publisher's web sites, cols. 3-5).

16. As to claim 12, Norris disclosed a system database (web server 208 of Fig. 2) or directory service stores allocated access session (web page with authenticated URL of Fig. 2).

17. As to claim 13, Norris disclosed a system database (web server 208 of Fig. 2) or directory service stores content subscriber attributes, content locator attributes, and content publisher attributes (token with encoded fields, col. 7, line 51, to col. 8, line 18).

18. As to claims 14-19, they are the method claims of the system claims 1-13 and therefore they are rejected for the same reason as in 1-13 above.

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Wednesday and Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

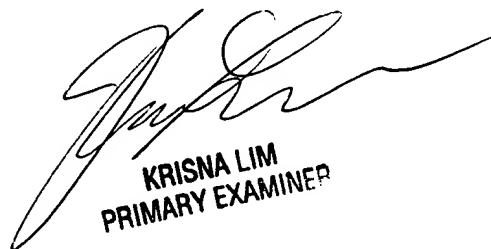
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2153

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

December 12, 2004



KRISNA LIM
PRIMARY EXAMINER